

WORKSHOP NOTICE

TO: All Interested Parties

FROM: Staff of the Illinois Commerce Commission

DATE: October 16, 2001

RE: Notice of Workshop: ICC Docket #01-0590

Docket 01-0590 initiates a rulemaking proceeding related to a new Digital Divide Elimination Infrastructure Fund, pursuant to Section 13-301.3 of the Public Utilities Act.

HB2900 added a new section, Section 13-301.3, creating a Digital Divide Elimination Infrastructure Fund, and requires that the Commission adopt rules governing grant-making related to this fund. A copy of Section 13-301.3 is attached to this notice. The entire text of the Public Utilities Act is also available on the Commission's website (www.icc.state.il.us). This fund will receive its first scheduled deposit July 1, 2002. At that time, Ameritech Illinois will deposit \$5 million into the Digital Divide Elimination Infrastructure Fund. There will be subsequent deposits of the same amount on or about the same day in 2003 and 2004, for a final total of \$15 million for this fund. To prepare for expenditures from this fund, Staff will host workshops open to all interested parties to explore and address issues relevant to this newly created fund.

The first of these workshops will be held in Chicago on **October 29, 2001**, from 10 am – 3pm, at the Commission's offices at 160 N. LaSalle St., Chicago, Illinois. Any interested party unable to attend at this location may dial into an audio bridge on 1-888-327-3006 (pass code 7731168#). Additional information regarding this workshop will be posted to the Commission's web site (www.icc.state.il.us) during the week preceding the Chicago workshop.

A second workshop will be held in Springfield on **November 27, 2001**, from 11 am – 3 pm, at the Commission's offices at 527 E. Capitol St., Springfield, Illinois. A separate workshop notice will be prepared for the November workshop.

For more information, please contact Melanie Patrick at (217) 558-4407 or mpatrick@icc.state.il.us.

Sec. 13-301.3

Sec. 13-301.3. Digital Divide Elimination Infrastructure Program.

(a) The Digital Divide Elimination Infrastructure Fund is created as a special fund in the State treasury. All moneys in the Fund shall be used, subject to appropriation, by the Commission to fund the construction of facilities specified in Commission rules adopted under this Section. The Commission may accept private and public funds, including federal funds, for deposit into the Fund. Earnings attributable to moneys in the Fund shall be deposited into the Fund.

(b) The Commission shall adopt rules under which it will make grants out of funds appropriated from the Digital Divide Elimination Infrastructure Fund to eligible entities as specified in the rules for the construction of high-speed data transmission facilities in areas of the State for which the incumbent local exchange carrier having the duty to serve such area, and the obligation to provide advanced services to such area pursuant to Section 13-517 of this Act, has sought and obtained an exemption from such obligation based upon a Commission finding that provision of such advanced services to customers in such area is either unduly economically burdensome or will impose a significant adverse economic impact on users of telecommunications services generally.

(c) The rules of the Commission shall provide for the competitive selection of recipients of grant funds available from the Digital Divide Elimination Infrastructure Fund pursuant to the Illinois Procurement Code. Grants shall be awarded to bidders chosen on the basis of the criteria established in such rules.

(d) All entities awarded grant moneys under this Section shall maintain all records required by Commission rule for the period of time specified in the rules. Such records shall be subject to audit by the Commission, by any auditor appointed by the State, or by any State officer authorized to conduct audits.

(Source: P.A. 92-22, effective June 30, 2001.)